



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 7322-97
23 August 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 August 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 4 June 1975. You underwent a pre-separation physical examination on 25 February 1977. You were noted to have mildly elevated blood pressure at that time, but were found physically qualified after review by an internal medicine specialist, who recommended that you take medication to control the high blood pressure. You apparently elected not to reenlist, and you were released from active duty on 3 June 1977 by reason of expiration of enlistment. The Veterans Administration (VA) awarded you a 0% rating for hypertension effective from 4 June 1977, and increased it to 10% effective 8 February 1984.

The Board noted that the VA awards disability ratings based on the existence of certain conditions listed in its schedule for rating disabilities, without regard to the issue of fitness for military service. The Board was not persuaded that your hypertension rendered you unfit for duty at the time of your release from active duty in 1977. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director